

AUG 28 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Witzgall

Art Unit: 2674

Serial No.: 09/469,070

Examiner: Abdulsalam, A.

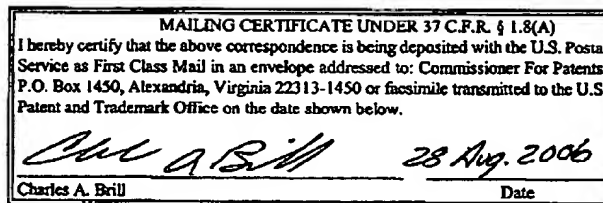
Filed: 12/21/1999

Docket No. TI-23879

For: ELECTRO-OPTICAL, TUNABLE, BROADBAND COLOR MODULATOR

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

28 August 2006

Mail Stop AF  
Commissioner for Patents  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated 28 April 2006 of the Primary Examiner finally rejecting Claims 7-9 and 11-13.

The applicant believes no fee is due as the Notice Of Appeal fee was previously submitted in this application on 23 February 2005. Nevertheless, should any fee be due, please charge the fee to the deposit account of Texas Instruments Incorporated, Deposit Account No. 20-0668.

The Commissioner of Patents is hereby authorized to charge any fees that may be required, or credit any overpayment to the deposit account of Texas Instruments Incorporated, Deposit Account No. 20-0668.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Charles A. Brill".

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